



State of New Jersey
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Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

Division of Codes and Standards
Memorandum

To: Local Construction Code Offices
From: Edward M. Smith, Director Date: January 7, 2022
Subject: Addressing the Impact of the Omicron Surge

The recent surge in COVID cases due to the Omicron variant may be impacting the normal operations of local Code offices. If staff falls ill to infection and the requirements of the UCC are being delayed, you may seek aid from a nearby municipality via a shared services agreement or enter into a third-party agreement. To do so, please follow the applicable sections of subchapter 4 of the UCC. In addition, to keep record of these temporary changes, please alert the Office of Regulatory Affairs by phone at (609) 984-7672 or email at ORAVoicemail@dca.nj.gov.

For clarification, as you know, on June 4, 2021, Governor Philip D. Murphy signed P.L. 2021, c. 104 into law, ending the public health emergency and allowing for the expiration of Executive Order (EO) 103. The temporary code relaxations detailed in EO 103 expired effective August 3, 2021. Furthermore, during the period that EO 103 was in effect, the Division issued a number of guidance memos and rule relaxations. These also expired following the expiration of EO 103 based on the timelines provided within the relevant documentation. By way of example, permit applications received after August 3, 2021 for minor work projects, as referenced in the "Ongoing Construction Guidance," are to follow the normal operating procedures of the Uniform Construction Code (UCC), N.J.A.C. 5:23.

However, we want to remind you that the "Ongoing Construction Guidance" issued on March 25, 2020 still applies exclusively to those active permit applications issued during the period EO 103 was applicable. This would provide a timeline for permit applications received during March 9, 2020 through August 3, 2021. As noted above, all other permit applications are to follow the normal operating procedures. If you need a copy of this guidance, it can be found at <https://www.nj.gov/dca/divisions/codes/alerts/covid19.html>.

If you have any questions or concerns, please contact the Office of Regulatory Affairs or the Code Assistance Unit, (609) 984-7609.